

Congress of the United States

Washington, DC 20515

January 29, 2004

The President
The White House
1600 Pennsylvania Avenue
Washington, DC

Dear Mr. President:

We are writing to underscore the importance of a U.S. brief before the International Court of Justice (ICJ) in support of Israel's right to implement defensive security measures necessary to protect its citizens from terrorist attacks.

Over the past months, Administration officials have undermined Israeli efforts to stop terrorists infiltrating from the West Bank by claiming that the security fence being built is an obstacle to the peace process. In November, millions of dollars in cuts in Israel's economic loan guarantees were characterized by State Department spokesman Richard Boucher as "an expression of disagreement" with the planned path of the security fence. During your visit to the UK in November, you warned Israel not to "prejudice final negotiations with the placement of walls and fences." We now understand that the fence will also be denounced in the 2003 edition of the State Department's Annual Human Rights Report.

We are concerned about the mixed messages coming from your Administration. We call on you to be clear that Israel has the absolute right to defend itself from terrorism in light of the Palestinians' refusal to prevent it. As for the route of the fence, we share your desire to find ways to limit the impact of the fence on innocent Palestinian civilians. But as for the necessity of the fence, we ask you to recognize that it is only because of the Palestinian Authority's intransigence on the dismantling of terrorist groups that the separation fence has to be built.

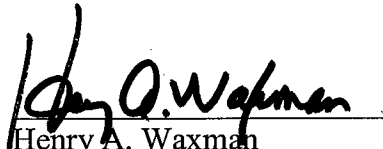
It has come to a point where continued U.S. ambivalence on this matter threatens to be exploited in the case against Israel at the ICJ. As you know, the case was brought before the UN-sponsored court by a Palestinian General Assembly resolution calling for the court to issue a ruling on the legality of the security fence. The manipulation of ICJ jurisdiction to seek a biased and politicized ruling against Israel sets a dangerous precedent against any country – including the U.S. – that may need to implement emergency counter terrorism measures.

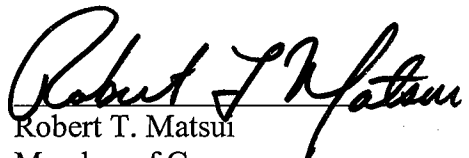
In addition, we urge you to carefully review related sections of the State Department's 2003 Human Rights Report, scheduled to be published around the same time as the ICJ's decision in March. It would seriously damage U.S. efforts to restore bilateral peace negotiations if negative excerpts from the report serve as ammunition against Israel before the court or as fodder in the General Assembly and Security Council debates that will likely ensue.

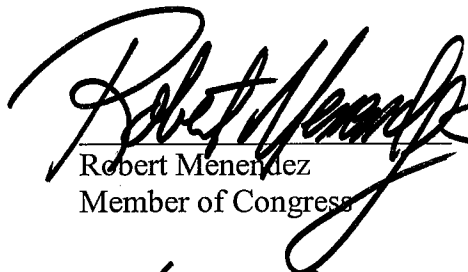
The President
January 28, 2004
Page 2

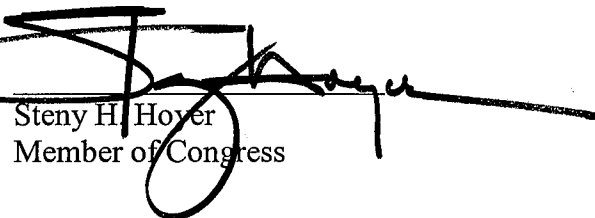
We hope you will take swift action and we look forward to your response.

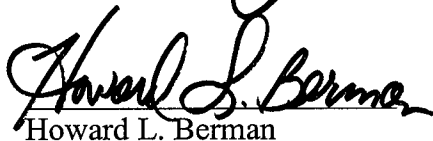
Sincerely,


Henry A. Waxman
Member of Congress


Robert T. Matsui
Member of Congress


Robert Menendez
Member of Congress

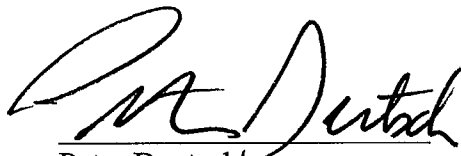

Steny H. Hoyer
Member of Congress

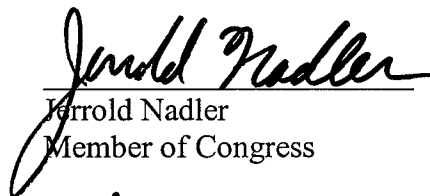

Howard L. Berman
Member of Congress

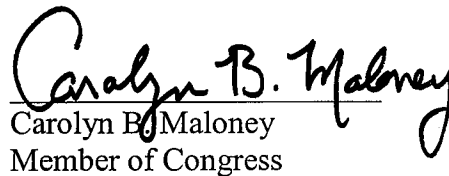

Robert E. Andrews
Member of Congress

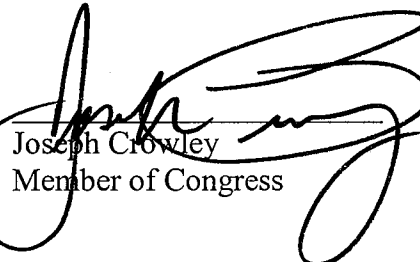

Eliot L. Engel
Member of Congress


Brad Carson
Member of Congress


Peter Deutsch
Member of Congress

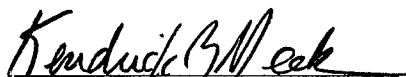

Ferrol Nadler
Member of Congress


Carolyn B. Maloney
Member of Congress

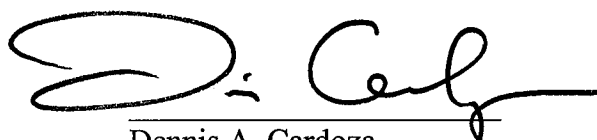

Joseph Crowley
Member of Congress



Benjamin L. Cardin
Member of Congress



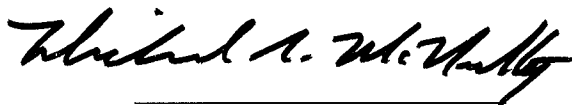
Kendrick B. Meek
Member of Congress



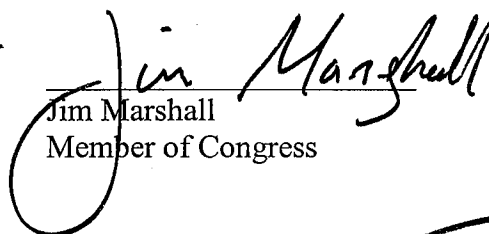
Dennis A. Cardoza
Member of Congress





Anthony D. Weiner
Member of Congress



Michael R. McNulty
Member of Congress



Jim Marshall
Member of Congress

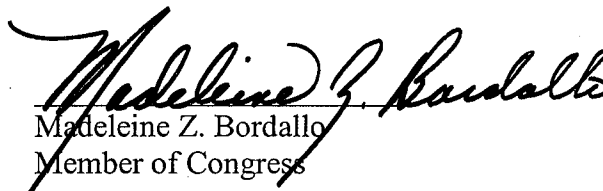


Denise L. Majette
Member of Congress

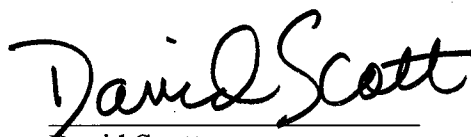
Steve Israel
Member of Congress



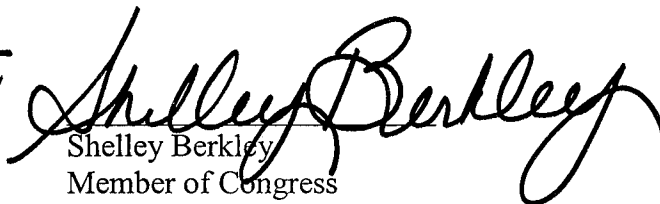
Carolyn McCarthy
Member of Congress



Madeleine Z. Bordallo
Member of Congress



David Scott
Member of Congress



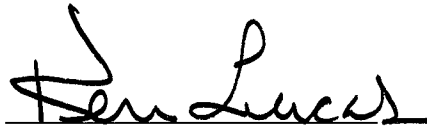
Shelley Berkley
Member of Congress



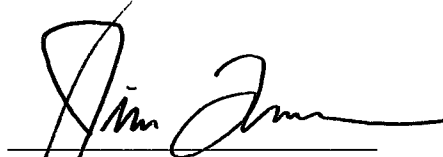
Jim Langevin
Member of Congress



Artur Davis
Member of Congress



Ken Lucas
Member of Congress



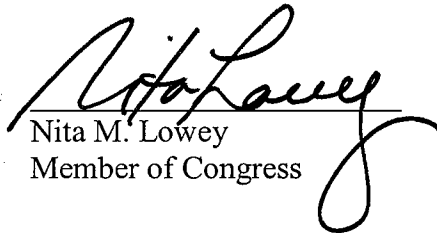
Jim Turner
Member of Congress



Susan A. Davis
Member of Congress



Gary L. Ackerman
Member of Congress



Nita M. Lowey
Member of Congress



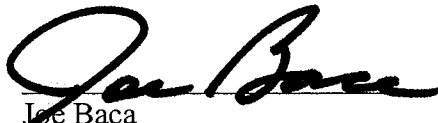
Martin Frost
Member of Congress



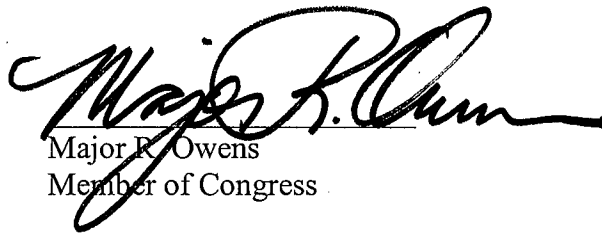
Rick Larsen
Member of Congress



Tom Lantos
Member of Congress



Joe Baca
Member of Congress



Major R. Owens
Member of Congress



Adam B. Schiff
Member of Congress



Ellen O. Tauscher
Member of Congress

Letter to President Bush on International Court of Justice

1. Henry A. Waxman
2. Robert T. Matsui
3. Steny H. Hoyer
4. Robert Menendez
5. Eliot L. Engel
6. Peter Deutsch
7. Joseph Crowley
8. Jerrold Nadler
9. Carolyn B. Maloney
10. Brad Carson
11. Robert E. Andrews
12. Benjamin L. Cardin
13. Kendrick Meek
14. Dennis A. Cardoza
15. Howard L. Berman
16. Anthony Weiner
17. Michael R. McNulty
18. Jim Marshall
19. Denise L. Majette
20. Gary L. Ackerman
21. Steve Israel
22. Carolyn McCarthy
23. Madeleine Z. Bordallo
24. David Scott
25. Shelley Berkley
26. Jim Langevin
27. Ken Lucas
28. Artur Davis
29. Jim Turner
30. Susan A. Davis
31. Martin Frost
32. Ellen O. Tauscher
33. Nita M. Lowey
34. Rick Larsen
35. Tom Lantos
36. Major R. Owens
37. Adam B. Schiff
38. Joe Baca